



32692

Customer Number

PATENT
Docket No.: 58974US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MICHAEL R. PLUMB, CHRISTINE A.
BINSFELD and DOYLE T. POTTER

Serial No.: 10/656,089
Filed: September 5, 2003

For: COUNTING BIOLOGICAL
AGENTS ON BIOLOGICAL
GROWTH PLATES

Group Art Unit: 1743

Examiner:

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.56, 1.97, and 1.98, enclosed is a completed Form PTO-1449, citing references submitted for consideration by the Examiner. Copies of any cited foreign patents, non-patent literature, and unpublished US application documents are enclosed. Pursuant to the waiver in the Pre-OG Notice, dated July 25, 2003, copies of US patents and published US patent applications are no longer required and are not enclosed. It is respectfully requested that the Examiner initial and return the enclosed Form PTO-1449 to indicate that each reference has been considered.

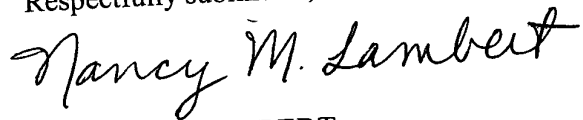
The Examiner's attention is also directed to the following co-pending, co-assigned U.S. Patent applications and the references cited therein: USSN 10/655,328, filed September 4, 2003. A copy of this application is enclosed herewith for consideration by the Examiner.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL
IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS.
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450 ON
September 1, 2004
SIGNED Judy L. Hansen

Should a First Office Action on the merits be mailed prior to the filing of this Disclosure Statement, please charge the requisite \$180.00 fee (pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p)) to Deposit Account No. 13-3723.

Applicants submit that the above references, whether taken alone or in combination with each other neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to the captioned application is respectfully requested.

Respectfully submitted,



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Dated: *September 1, 2004*

INFORMATION DISCLOSURE STATEMENT

SEP 03 2004

Atty. Docket No.: 58974US002

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Applicant(s): Michael R. Plumb, Christine A. Binsfeld and
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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
	3,811,036	05/14/74	Perry			
	3,962,040	06/08/76	Campbell et al.			
	4,118,280	10/03/78	Charles et al.			
	4,160,601	07/10/79	Jacobs			
	4,591,567	05/27/86	Britten et al.			
	4,720,463	01/19/88	Farber et al.			
	4,724,215	02/09/88	Farber et al.			
	4,817,785	04/04/89	Farber et al.			
	4,856,073	08/08/89	Farber et al.			
	5,329,686	07/19/94	Kildal et al.**			
	5,372,936	12/13/94	Fraatz et al.			
	5,403,722	04/04/95	Floeder et al.			
	5,428,690	06/27/95	Bacus et al.			
	5,510,246	04/23/96	Morgan			
	5,573,950	11/12/96	Graessle et al.			
	5,694,478	12/02/97	Braier et al.			
	5,721,435	02/24/98	Troll			
	5,744,322	04/28/98	Krejcarek et al.			

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Document Number	Date	Country	Class	SubClass	Translation
					Yes No
0 008 826 A2	03/19/80	EPO	G01N	15/00	X
0 088 601 A1	09/14/83	EPO	G01N	35/04	X
0 397 256 A2 & A3	11/14/90	EPO	G01N	35/00	X
0 429 030 A3 & A2	05/29/91	EPO	B01L	7/00	X
0 547 709 A3 & A2	06/23/93	EPO	G01N	35/00	X
0 819 930 A2	01/21/98	EPO (English Equivalent provided above *)	G01N	15/14	X
0 193 385 B1	07/22/92	EPO	G01N	35/00	X
60-83597	05/11/85	Japan	C12Q	1/02	X
5-249105	09/28/93	Japan (English Equivalent provided above**)	G01N	33/48	X
WO 92/12233	07/23/92	PCT	C12M	1/32	X

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)

	Product brochure entitled "Powerful data handling for GLP conformance" by ProtoCOL, Synbiosis, a division of Synoptic Ltd, Cambridge, UK (4 pgs.)
	Product brochure entitled "Efficient Batch Handling" by ProtoZONE, Synbiosis, a division of Synoptic Ltd., Cambridge, UK (4 pgs.)
	Product brochure entitled "Petrifilm™ Information Management System - Reduce Operational Costs and Increase Productivity"; 3M Microbiology Products; 1999; 70-2009-1996-0; (3 pgs.)

EXAMINER

Date Considered

* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820
(Also form PTO-1449)

Patent and Trademark Office, U.S. Department of Commerce

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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	SubClass	Filing Date If Appropriate
	5,747,333	05/05/98	Jungmann- Campello et al.			
	5,787,189	07/28/98	Lee et al.			
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	2004/0101189 A1	05/27/04	Green et al.			
	2004/0101951 A1	05/27/04	Vent et al.			
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	2004/0101954 A1	05/27/04	Graessle et al.			
	2004/0102903 A1	05/27/04	Graessle et al.			

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Document Number	Date	Country	Class	SubClass	Translation Yes No
WO 94/01528	01/20/94	PCT	C12M	1/34	X
WO 94/26926	11/24/94	PCT	C12Q	1/04	X
WO 95/16768	06/22/95	PCT	C12M	1/34	X
WO 98/53301	11/26/98	PCT	G01N	21/01	X
WO 98/59314	12/30/98	PCT	G06K	9/00	X
WO 00/32807	06/08/00	PCT	C12Q	1/18	X
WO 00/49129	08/24/00	PCT	C12M	1/34	X
WO 00/49130	08/24/00	PCT	C12M	1/34	X
WO 01/83673 A2	11/08/01	PCT	C12M	1/34	X
2 249 829 A	05/20/92	United Kingdom	G01N	15/00	X

OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)**EXAMINER****Date Considered**

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